

REMARKS

Interview

Applicant's below signed representative would like to thank Examiner Desir for the courtesy extended to him during the Interview conducted on October 20, 2005 in this case.

Request for Reconsideration

Applicant has carefully considered the matters raised in the Office Action as well as by the Examiner during the Interview and remain of the opinion that patentable subject matter is present. Applicant respectfully requests reconsideration of the Examiner's position based on the above amendments to the claims, and the following remarks.

Claim Status

Claims 1-10 have been allowed while Claims 11 and 12 stand rejected.

Claim 11 has been amended herein to recite that the activated lens reduces the light intensity which reaches the eye and that this reduction in light intensity provides a delayed image to the eye. It is this delayed image which causes a

three-dimensional effect. Support for these amendments to the claims can be found on lines 1-5 and 23-29 of the amendment made to page 25. In those passages, it teaches that the activation reduces light intensity and delays the picture reaching the eye associated with the lens which is activated.

Additionally, Claim 11 has been amended to recite that, when no movement of objects occurs, both of the pair of eyeglasses are clear. Support for this amendment can be found on lines 66-68 of the insert to page 25. The purpose of these amendments is to emphasize the fact that the activation of one of the eyeglass lenses is based on movement of objects in the moving picture frames and that, when no movement occurs, both lenses are clear and no change occurs in the lenses.

Rejection

Claims 11 and 12 had been rejected as being unpatentable over Noble. Noble teaches glasses that provide a three-dimensional effect by alternatively sequencing every other frame of the motion picture for viewing by one eye and then the other. For example, the sequence of frames that make up the motion picture may be R-L-R-L-R-L such that the first frame is intended for the right eye, the second frame for the left eye, the third

frame for the right eye, fourth frame for the left eye, etc. Thus, with Noble, the sequence doesn't change. If the rates of the frames in the motion picture are 60 frames per second, then 30 frames are intended for the left eye and 30 frames are intended for the right eye. The glasses must change rapidly for each frame. Noble provides that the right eye sees the "R" frame and the left eye sees the "L" frame. In order to do this, Noble alternates between a clear lens and a dark lens. For the three-dimensional effect to work in Noble, the left eye must see the "L" frame and the right eye must not be able to see the frame. Similarly, when the right eye sees the "R" frame, the left eye should not be able to see the frame. This is the key to Noble being able to effect a three-dimensional showing.

In contrast, the present Invention purposefully allows both eyes to always view both frames. The difference is that, when there is movement in the frames, the light intensity to one of the eyes is reduced slightly so as to delay the speed at which the image reaches the eye. This delayed speed causes the three-dimensional effect in the present Invention when the delay to one eye produces two simultaneous aspects of a shifting scene or

object. When there is no movement in the picture frames, then both lenses are clear. This is in direct contrast with Noble since Noble requires only one eye to see an alternate frame, not both, and never allows both eyes to see all the picture frames. The present Invention allows both eyes to see all the picture frames.

Claim 11 specifically requires that both eyes see the image and that one eye sees reduced light when there is movement of the objects in the picture frames and that both eyes see full-light when there is no movement of the objects in the picture frames.

It is true that the liquid crystal materials used in Noble cannot block 100% of the light. This, however, is a defect in liquid crystal material which is recognized by Noble. Noble is not teaching that he wants to prevent 100% of blockage of light but, rather, is recognizing the fact that the liquid crystal material will not block 100% of the light.

Noble's synchronization is with respect to the whole frame and whether the frame was intended for the left eye or the right eye. Noble changes the eyes depending on the frame that is shown on the screen. In contrast, the present Invention synchronizes with respect to movement of objects in the frame and never blocks the image from reaching both eyes.

Thus, in conclusion, Noble synchronizes his lenses to the frame that is being shown. In contrast, the present Invention synchronizes its lenses to the movement of objects in the frame. This means that, in the present Invention, the synchronization is with respect to a plurality of frames since movement of any object can only be determined by comparison of successive frames. Noble's synchronization is with respect to a single frame in that one frame is intended for one eye while the other frame is intended for the other eye.

Second, Nobel, in essence, blocks one eye from viewing the image, albeit, some light may get through, the image does not. In contrast, the present Invention allows the image to reach both eyes. In fact, in the present Invention, the image must reach both eyes. The difference in the present Invention is that the speed in which the image reaches one of the eyes is

reduced. This difference in speed between the image reaching the eyes causes the three-dimensional effect in the mind.

Third, the present Invention has both lenses clear when no movement occurs in the picture frames while, in contrast, Noble has each frame intended for either the left eye or the right eye.

Applicant is prepared to do a demonstration of the teachings of Noble versus the teachings of the present Invention and to demonstrate to the Examiner the differences between Noble and the present Invention. If, for any reason, the Examiner deems that this Response is not adequate to define and explain the teachings of Noble, Applicant respectfully requests that they be granted an Interview so as to be able to demonstrate to the Examiner how Noble's teachings differ dramatically from that of the present Invention and how the present Invention is clearly different than the teachings of Noble.

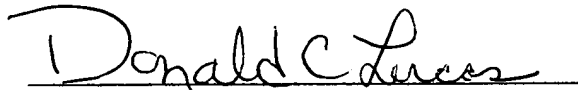
Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By:



Donald C. Lucas, 31,275
Attorney for Applicant(s)
475 Park Avenue South, 15th Floor
New York, NY 10016
Tel. # 212-661-8000

DCL/mr

Encl: Return receipt post-card